



<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/672,429
		Filing Date	September 26, 2003
		First Named Inventor	Dempcy, Robert O.
		Art Unit	not yet assigned
		Examiner Name	not yet assigned
Total Number of Pages in This Submission	9	Attorney Docket Number	17682A-003650US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>  Return Postcard References Cited (3) International Search Report
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Townsend and Townsend and Crew LLP Joseph R. Snyder Reg. No. 39,381
Signature	
Date	February 23, 2004

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Typed or printed name	Marta R. Vanegas		
Signature		Date	February 23, 2004

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PATENT  
Attorney Docket No.: 17682A-003650US  
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On

*February 23, 2004*

TOWNSEND and TOWNSEND and CREW LLP

By:

*Marta Vanegas*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Robert O. Dempcy et al.

Application No.: 10/672,429

Filed: September 26, 2003

For: TM LEVELING METHODS

Examiner: not yet assigned

Art Unit: not yet assigned

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

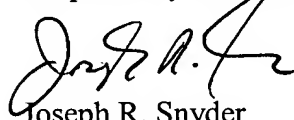
The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of Reference Nos. 1 through 80 can be found in Application No. 10/032,307, filed Dec. 21, 2001 (Attorney Docket No. 17682A-003630US), now Patent No. 6,683,173, granted January 27, 2004. Copies of Reference Nos. 82 through 84 are enclosed herewith. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Also enclosed is a copy of the International Search Report for a corresponding PCT application, PCT/US03/19447.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

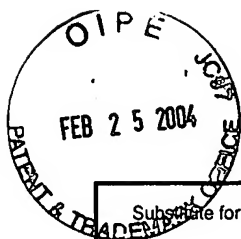
Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Joseph R. Snyder  
Reg. No. 39,381

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60137947 v1



Substitution for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)			<b>Complete if Known</b>		
Sheet	1	of	6	Application Number	10/672,429
				Filing Date	September 26, 2003
				First Named Inventor	Dempcy, Robert O.
				Art Unit	not yet assigned
				Examiner Name	not yet assigned
				Attorney Docket Number	17682A-003650US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	09/457,616	n/a	Reed et al.	
	2	3,996,345	12-07-76	Ullman, et al.	
	3	4,351,760	09-28-82	Khanna et al.	
	4	4,358,535	11-09-82	Falkow et al.	
	5	4,683,195	07-28-87	Mullis, et al.	
	6	4,683,202	07-28-87	Mullis	
	7	4,800,159	01-24-89	Mullis et al.	
	8	4,868,105	09-19-89	Urdea et al.	
	9	5,124,246	06-23-92	Urdea, et al.	
	10	5,177,196	01-05-93	Meyer, Jr., et al.	
	11	5,210,015	05-11-93	Gelfand, et al.	
	12	5,419,966	05-30-95	Reed, et al.	
	13	5,449,767	09-12-95	Ward, et al.	
	14	5,484,908	01-16-96	Froehler, et al.	
	15	5,492,806	02-20-96	Drmanac, et al.	
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	18	5,556,749	09-17-96	Mitsuhashi, et al.	
	19	5,578,467	11-1996	Schuster et al.	
	20	5,585,481	12-17-96	Arnold, Jr., et al.	
	21	5,645,985	07-08-97	Froehler, et al.	
	22	5,696,251	12-09-97	Arnold, Jr., et al.	
	23	5,736,626	04-07-98	Mullah, et al.	
	24	5,801,155	09-01-98	Kutyavin et al.	
	25	5,824,796	10-20-98	Petrie, et al.	
	26	5,869,251	02-1999	Schuster et al.	
	27	5,942,610	08-24-99	Nelson, et al.	
	28	6,084,102	07-2000	Kutyavin et al.	
	29	6,127,121	10-2000	Meyer et al.	
	30	6,143,877	11-2000	Meyer et al.	
	31	6,156,501	12-2000	McGall et al.	
	32	6,312,894	11-2001	Hedgpeth et al.	
	33	6,426,408	07-2002	Kutyavin et al.	
	34	6,683,173	01-2004	Dempcy et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)		
						Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Examiner Signature	Date Considered
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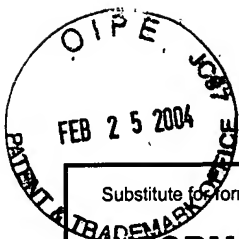


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			Application Number	10/672,429	
			Filing Date	September 26, 2003	
			First Named Inventor	Dempsy, Robert O.	
			Art Unit	not yet assigned	
			Examiner Name	not yet assigned	
Sheet	2	of	6	Attorney Docket Number	17682A-003650US

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Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	35	WO	92/10588		06-1992			<input type="checkbox"/>
	36	WO	96/17957		06-1996			<input type="checkbox"/>
	37	WO	96/32496		10-1996			<input type="checkbox"/>
	38	WO	99/37085		07-1999			<input type="checkbox"/>
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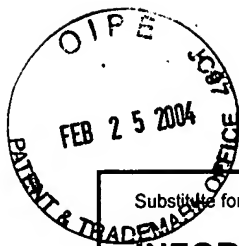
Substitute for Form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)			<b>Complete if Known</b>		
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			First Named Inventor	Dempcy, Robert O.	
			Art Unit	not yet assigned	
			Examiner Name	not yet assigned	
Sheet	3	of	6	Attorney Docket Number	17682A-003650US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	39	Balow et al., <i>Nuc. Acid Res.</i> , 26:3350-3357 (1998)	
	40	Beaucage et al., <i>Tetrahedron</i> 48:2223-2311 (1992)	
	41	Blake et al., <i>Bioinformatics</i> , 15:370-5 (1999)	
	42	Bolli et al., <i>Nucl. Acids Res.</i> , 24:4660-4667 (1996)	
	43	Capaldi et al., <i>Nuc. Acids Res.</i> , 28:E21 (2000)	
	44	Chen et al. <i>Nucleic Acids Res.</i> 23:2661-2668 (1995)	
	45	Draper et al., <i>Biochemistry</i> 19:1774-1791 (1980)	
	46	Eisen, et al., <i>Methods in Enzymology</i> , 303:179-205 (1999)	
	47	Flanagan et al., <i>Nat. Biotechnol.</i> , 14:1139-1145	
	48	Geisen et al. <i>Nucl. Acids Res.</i> , 26:5004-5006 (1998)	
	49	Hacia et al., <i>J. Mol. Genet.</i> , 36:730-736 (1999)	
	50	Hall et al., <i>PNAS</i> 97:8272-77 (2000)	
	51	Heid et al., <i>Genome Res.</i> 6:986-994 (1996)	
	52	J. Chromatogr., <i>B. Biomed. Sci. Appl.</i> 739:139-150 (2000)	
	53	Livak et al., <i>PCT Meth. App.</i> 4:357-362 (1995)	
	54	Lohkov, S.G., <i>FEBS Letters</i> 420:134-138 (1997)	

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Sheet	4	of	6	Attorney Docket Number	17682A-003650US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	55	Lyamichev et al., <i>Nature Biotechnol.</i> , 17:292-296 (1999)	
	56	Mueller et al., <i>Histochem, Cell Biol.</i> , 108:431-437 (1997)	
	57	Nielsen et al. <i>Science</i> , 254: 1497-1500 (1991)	
	58	Owczarzy et al. <i>Biopolymers</i> , 44:217-239 (1997)	
	59	Palissa et al., <i>Z. Chem.</i> , 27:216 (1987)	
	60	Pastinen T. et al., <i>Genome Res.</i> , 10:1031-42 (2000)	
	61	Ramzaeva et al., <i>Helv. Chim. Acta</i> , 80:1809-1822 (1997)	
	62	Reddy, et al., <i>Pharmacol. Therap.</i> , 84:1-111 (1999)	
	63	Santalucia et al., <i>Biochem</i> , 36:10581-10595 (1997)	
	64	Scheit, <i>Nucleotide Analogs</i> , John Wiley, New York (1980)	
	65	Schutz et al., <i>Biotechniques</i> , 27:1218-22 (1999)	
	66	Seela et al., <i>J. Chem. Soc. Perkin Trans.</i> , 1:479-488 (1999)	
	67	Seela et al., <i>Nucl. Acids Res.</i> , 28:3224-3232 (2000)	
	68	Singh et al., <i>Chem. Comm.</i> , 455-456 (1998)	
	69	Smith et al., <i>Int. J. Oncol.</i> , 17:841-850 (2000)	
	70	Sugimoto et al., <i>Biochem</i> 34:11211-11216 (1995)	

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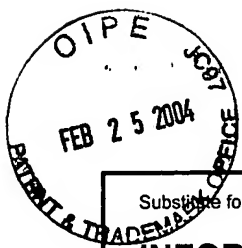
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	71	Taton, T.A. et al., <i>Science</i> , <b>289</b> :1757-1760 (2000)	
	72	Taylor et al., <i>Tetrahedron</i> , <b>48</b> (37):8089-8100 (1992)	
	73	Uhlman et al., <i>Chemical Reviews</i> , <b>90</b> :543-584 (1990)	
	74	Uhlmann et al. <i>Angew. Chem. Ing. Ed.</i> <b>37</b> :2796-2823 (1998)	
	75	Van Ness et al., <i>Nucleic Acids Res.</i> , <b>19</b> :5143-5151 (1991)	
	76	Vincent et al. <i>J. Org. Chem.</i> , <b>64</b> :991-997 (1999)	
	77	Walker, W.L. et al., <i>Biopolymers</i> , <b>44</b> :323-334 (1997)	
	78	Wemmer, D.E. et al., <i>Current Opinion in Structural Biology</i> , <b>7</b> :355-361 (1997)	
	79	Wengel J., <i>Acc. Chem Res.</i> , <b>32</b> :301-310 (1998)	
	80	Zhang et al., <i>Nat. Biotechnol.</i> , <b>18</b> :862-867 (2000)	
	81	Zimmer, C et al., <i>U. Prog. Biophys. Molec. Bio.</i> <b>47</b> :31-112 (1986)	
	82	Breslauer, K. J. et al.: "Predicting DNA duplex stability from the base sequence"; <i>Proc. Nat. Acad. Sci.</i> ; <b>83</b> :3746-3750 (1986)	
	83	Chen, H. et al.: "Computer program for calculating the melting temperature of degenerate oligonucleotides used in PCR or hybridization"; <i>BioTechniques</i> ; <b>22</b> :6:1158-1160 (1997)	
	84	Le Novere, N.: "MELTING, computing the melting temperature of nucleic acid duplex" <i>Bioinformatics</i> ; <b>17</b> :12:1226-1227 (2001)	

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT***(use as many sheets as necessary)*

Sheet 6 of 6

**Complete if Known**

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Examiner  
SignatureDate  
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